

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

PALADIN HOMELAND SECURITY	:	
HOLDINGS, LLC,	:	
	:	Case No. 3:10-cv-02285
Plaintiff,	:	
	:	
vs.	:	Judge Jack Zouhary
	:	
FGDI, LLC,	:	
	:	
Defendant and	:	
Third-Party Plaintiff,	:	
	:	
vs.	:	
	:	
SUNTRUST BANK, et al.,	:	
	:	
Third-Party Defendants.	:	

**INITIAL DISCLOSURES OF PLAINTIFF  
PALADIN HOMELAND SECURITY HOLDINGS, LLC**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Paladin Homeland Security Holdings, LLC (“Paladin”) makes the following Initial Disclosures:

A. **Individuals Paladin believes likely to have discoverable information that Paladin may use to support its claims or defenses.**

1. **Paladin Homeland Security Holdings, LLC**, 2001 Pennsylvania Avenue, N.W., Suite 400, Washington, D.C. 20006:
  - a. Colin H. Bryant
  - b. E. Kenneth Pentimonti
  - c. Michael R. Steed
  - d. Rick Owings

The Paladin witnesses may be contacted through Paladin’s counsel, Kegler, Brown, Hill & Ritter.

2. Current and/or former employees and/or representatives of **GOE-Lima, LLC**, 2485 Houx Parkway, Lima, OH 45804, including, but not limited to:
  - a. Gregory A. Kruger
  - b. Steve Patton
  - c. William B. Drury
  - d. James F. Blair
  - e. Teresa King
  - f. Mike Newland
  - g. Stephanie Goedde
  - h. David Cahill
3. Current and/or former employees and/or representatives of **FGDI, LLC**, 10975 Grandview Drive, Suite 200, Overland Park, KS 66210, including, but not limited to:
  - a. Robert Obrock
  - b. Roger Buzard
  - c. Steve Spieth
  - d. Katie Hartman
  - e. Mark Patton
  - f. Jean Bratton
  - g. Steven Speck
4. Current and/or former employees and/or representatives of **SunTrust Bank**, 303 Peachtree Street NE, Atlanta, GA 30308, including, but not limited to:
  - a. Janet R. Naifeh
  - b. Kris Anderson
  - c. David Edge
  - d. Yann Pirio
  - e. Margaret Dempster
  - f. Amanda Parks

- g. Karla Sollenberger
- h. Adam MacKenzie

5. Current and/or former employees and/or representatives of **ING USA Life Annuity and Life Insurance Company**, 5780 Powers Ferry Rd., NW, Atlanta, GA 30327, including, but not limited to:

- a. Steve Newby
- b. Marc Stratton
- c. John Knox
- d. Anil Katarya
- e. Joyce Resnick
- f. Paul Aronson

6. Current and/or former employees and/or representatives of **Allied Irish Banks, P.L.C.**, 405 Park Avenue, Fl.2, New York, NY 10022, including, but not limited to:

- a. Aidan Lanigan
- b. Gerard Barrett
- c. Puiki Lok
- d. Robert F. Moyle
- e. Billy Quinlan

7. Current and/or former employees and/or representatives of **Farm Credit Bank of Texas**, 4801 Plaza on the Lake, Austin, TX 78746, including, but not limited to:

- a. Alan Robinson
- b. Isaac Bennett
- c. Horace Harrod

8. Current and/or former employees and/or representatives of **Babson Capital Management LLC**, 470 Independence Wharf, Boston, MA 02210, including, but not limited to:
  - a. David Lauck
  - b. Art McMahon
9. Current and/or former employees and/or representatives of **Erste Group Bank AG**, 280 Park Avenue, LBBY 1, New York, NY 10017, including, but not limited to:
  - a. Robert Suehnholz
  - b. Patrick W. Kunkel
10. Current and/or former employees and/or representatives of **Silicon Valley Bank**, 3003 Tasman Drive, Santa Clara, CA 95054, including, but not limited to:
  - a. Amy Choi
  - b. Darrell Glasco
  - c. Adam Tweedy
11. Current and/or former employees and/or representatives of **GlassRatner Advisory & Capital Group, LLC**, 424 Madison Avenue, Suite 510, New York, NY 10017, including, but not limited to:
  - a. Wayne P. Weitz
  - b. Ian Ratner
  - c. Michael Shenk
12. Current and/or former employees and/or representatives of **CRG Partners**, 477 Madison Avenue, New York, NY 10022, including, but not limited to:
  - a. John S. Sumner, Jr.

**B. A description by category of documents, data compilations, and tangible things in the possession, custody, or control of Paladin and that Paladin may use to support its claims or defenses.**

1. Documents relating to the \$2,000,000.00 Irrevocable Standby Letter of Credit No. SVBSF005418 dated July 29, 2008 issued by Silicon Valley Bank (“SVB”), including draws made against the Letter of Credit, communications relating to those draws, and documents relating to the payment by Paladin to SVB for the amount of those draws and bank charges.

2. Documents relating to the Grain Origination Agreement dated July 29, 2008 between GOE-Lima, LLC and FGDI, LLC.

3. Documents relating to the Memoranda of Understanding and Agreement (“MOU”) between Paladin and GOE-Lima, the last of which was dated July 28, 2008, pursuant to which Paladin provided the LC in favor of FGDI in connection with the Grain Origination Agreement.

4. Documents that will be obtained pursuant to Third-Party Subpoenas, including those already served upon Silicon Valley Bank, GlassRatner Advisory & Capital Group, LLC and CRG Partners, as well as documents that will be obtained through discovery directed to the Defendant and to the Third-Party Defendants.

5. Documents relating to the claims and defenses of the Third-Party Plaintiff and Third-Party Defendants, including the Agreement For Assignment Of Claims And Proceedings Under Letter of Credit, attached as Exhibit A to the Third-Party Complaint.

All of the foregoing category of documents are or will be available as paper documents or as electronically stored information, and will be produced by counsel for Paladin.

**C. A computation of any category of damages claimed by Paladin, making available for inspection and copying as under Rule 34, the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.**

FGDI submitted draws against Silicon Valley Bank (“SVB”) Letter of Credit No. SVBSF005418 (the “LC”) and received payment from SVB under the LC. Paladin was required to and has repaid SVB in the full amount of those draws against the LC, together with \$3,582.85 in bank charges. Paladin’s damage claim against FGDI (at this time) is in excess of \$1,370,140.00 (excluding interest, costs and expenses). To the extent appropriate, Paladin will supplement its damages computation as discovery and this case progresses.

**D. Insurance.**

Not applicable.

In accordance with Rule 26(a) of the Federal Rules of Civil Procedure, these Initial Disclosures have been made upon information reasonably available at this time, and Paladin reserves the right to supplement its Initial Disclosures and proof in support of its claims and defenses as discovery and this case proceeds.

Respectfully submitted,

/s/Roger P. Sugarman

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Roger P. Sugarman (0012007)

Trial Attorney

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*Attorneys for Plaintiff*

*Paladin Homeland Security Holdings, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing INITIAL DISCLOSURES OF PLAINTIFF PALADIN HOMELAND SECURITY HOLDINGS, LLC was served via electronic mail and by regular U.S. mail, this 14th day of January, 2011 upon the following counsel of record to this action:

David C. Barrett, Jr., Esq.  
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*Attorneys for Defendant FGDI, LLC*

/s/Roger P. Sugarman

Roger P. Sugarman